

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

GOLF 255, INC., Debtor,

Appellant,

v.

MICHAEL KIELTY, et al.,

Appellees.

**Case No. 07-cv-135-DRH
and
Case No. 07-cv-221-DRH**

ORDER

HERNDON, District Judge:

The two related bankruptcy appeals listed above are hereby **DISMISSED AS MOOT**, due to the Court's June 8, 2007 Order in a related matter, *Golf 255 v. Eggman*, Case No. 07-mc-15-DRH, which granted the Appellee's Motion to Dismiss Appeal. Golf 255 appealed the order of the Bankruptcy Court which denied a stay of the Chapter 11 Trustee's Motion to sell substantially all of the assets of the bankruptcy estate of Golf 255. Golf 255 did not challenge Appellee's Motion to Dismiss. As this Court also denied the appeal and allowed the sale to go forward, pursuant to **11 U.S.C. § 363(m)**, it found the appeal to be moot and that the validity of the sale of substantially all of the assets could no longer be affected.

Golf 255 has previously appealed the Bankruptcy Court's Order which

granted the Petition of Involuntary Bankruptcy, filed as Case No. 07-cv-135-DRH and the Bankruptcy Court's Order granting the Chapter 11 Trustee's Motion to Sell Substantially All of the Assets Pursuant to **11 U.S.C. § 363**. As Golf 255's bankruptcy estate is now depleted due to the sale of substantially all of its assets, the appeals are no longer necessary. Thus, the Court hereby **DISMISSES WITH PREJUDICE** the bankruptcy appeals, ***Golf 255, Inc. v. Kielty***, Case Nos. **07-cv-135-DRH and 07-cv-221-DRH**, finding them both to be moot.

IT IS SO ORDERED.

Signed this 19th day of June, 2007.

/s/ David RHerndon
United States District Judge